

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

CORNELIUS R. MADDOX,

Petitioner,

v.

Case No. 08-C-984

WILLIAM POLLARD,

Respondent.

ORDER

On November 17, 2008, Cornelius R. Maddox filed this petition pursuant to 28 U.S.C. § 2254, asserting that his state court conviction and sentence were imposed in violation of the Constitution. Petitioner was convicted in Milwaukee County Circuit Court on April 16, 1996, as a party to the crime, of one count of armed robbery and two counts of false imprisonment while armed, and was sentenced to 43 years imprisonment. He is currently incarcerated at the Green Bay Correctional Institution.

In my review of the petition under Rule 4 of the Rules Governing § 2254 Cases, I determined that the petition appeared untimely under 28 U.S.C. § 2244(d)(1). (Doc. # 2.)¹ I directed Maddox to show cause why his application for federal habeas relief is not time-barred within 30 days of the Court's order of December 2, 2008. The order indicated that failure to

¹This order was amended on December 3, 2008 to correct the time period of 30 days in the last sentence. (Doc. # 3.)

respond within 30 days would result in dismissal of the petition with prejudice. As Maddox has not responded, his petition is **DISMISSED** with prejudice.

SO ORDERED this 8th day of January, 2009.

s/ William C. Griesbach
William C. Griesbach
United States District Judge